



# PUBLIC NOTICE

US Army  
Corps  
Of Engineers  
Baltimore  
District

In reply to Application Number  
CENAB-OP-RMN(BA DEPRM/BROWNS COVE/ BREEZY  
POINT/DREDGING)02-66556-15

**Comment Period: 1 January 2005 To 1 February 2005**

**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.**

The Baltimore District has received an application for a Department of the Army permit pursuant to the Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C 1344), as described below:

APPLICANT: Baltimore County Department of Environmental Protection and Resource Management (DEPRM)  
C/O Mr. William B. Heckert (Agent)  
1321 Mercedes Drive, Suite C  
Hanover, Maryland 21076

LOCATION: **Browns Cove and Breezy Point, Baltimore County, Maryland.**

WORK: To hydraulically or mechanically maintenance dredge a 15,765-foot long by 30 to 50-foot wide main channel in Browns Cove and Breezy Point to depths of -3.0 to -6.0 feet below mean low water connecting to the Chesapeake Bay. Additionally, 36 spur channels listed below are proposed. The dredging will result in approximately 48,545 cubic yards of material from the main channel and 12,564 cubic yards of material from the spur channels, which will be deposited at the Hart Miller Island Disposal Site. The permit for these projects, if approved, would authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. The purpose of the proposed work is to improve navigable access to residential piers. All work is to be completed in accordance with the enclosed plan(s). A complete copy of the permit application plans is available for review at the Baltimore County Public Library in Essex, Middlesex Shopping Center, at the Baltimore County DEPRM by calling (410) 887-2904 or by contacting the Corps of Engineers Project Manager Mr. Rich Kibby at (410) 962-0694. The permit application plans can also be reviewed at <http://www.nab.usace.army.mil/Regulatory/PublicNotice/BaltimoreCounty.htm> If you have any questions concerning this matter, please contact Mr. Rich Kibby, at (410) 962-0694.

Spur Channels:

<u>Tracking #</u>	<u>Name</u>	<u>Spur Channel Area</u> <u>Approx. sq. ft.</u>	<u>Volume</u> <u>cubic yds.</u>	<u>Proposed</u> <u>Max. Depth</u> <u>Ft. MLW</u>
200266557	Charles Hartlove 2549 Barrison Point Road	5,000	188	-4.0
200266558	Ray Bonczewski 2553 Barrison Point Road	2,250	98	-4.0
200255659	Bruce Laing 2546 Island View Road	6,375	416	-4.0
200266560	Joann Bell & Susan Cole 2538 Island View Road	8,375	408	-4.0
200266562	Marshall Keeny & Ernest Hoffman 2512-14 Island View Road	7,750	318	-4.0

200266563	Kluttz & Plott	10,000	1458	-4.0
	Kluttz & Plott	6,250		-4.0
	Kluttz & Plott	4,250		-4.0
	2476 Schaffers Road			
200266564	Louis Vesperman	5,000	391	-4.0
	2419 Golupski Road			
200266565	Jacob & Connie Polonski	2,500	134	-4.0
	2431 Golupski Road			
200266566	Roland Barthelmes & Jeff Prendergast	5,000	523	-4.0
	2420-28 Golupski Road			
200266567	Brian Debelius	4,750	551	-4.0
	2412 Golupski Road			
200266569	Frank B. Dorn	5,000	538	-4.0
	2404-06 Golupski Road			
200266570	Patrick Malec	6,000	641	-4.0
	2229-31 Philips Road			
200266571	John D. Wiseman Jr.	3,750	204	-3.5
	2330-41 Philips Road			
200266573	Leonard & Erin Niedoba	2,800	195	-3.0
	1122 Fantat Road			
200266574	David & Michelle Stiller	1,675	124	-4.0
	1130 Fantat Road			
200266575	Irma & John Rybczynski	4,750	356	-4.0
	1138 Fantat Road			
200266576	Maria Lambrow	3,750	278	-4.0
	1140 Fantat Road			
200266577	Bryan & Judith Jurgenson	3,925	401	-4.0
	1139 Fantat Road			
200266578	William Bafitas	11,025	862	-4.0
	1249 Engleberth Road			
200266579	Mark Thomas Gray & Thomas William Gray	2,400	264	-4.0
	1245 Engleberth Road			
200266580	James L. Mitchell	4,000	253	-4.0
	1241 Engleberth Road			
200266581	Michael Butler & Rita Kurek	2,275	282	-4.0
	1231 Engleberth Road			
200266582	Mark Hoffman	3,500	563	-4.0
	1227 Engleberth Road			
200266583	Ward & Cathy Holden	10,000	1,008	-4.0
	1225 Engleberth Road			
200266584	Joseph Raspe	3,250	399	-5.0
	1209 Engleberth Road			
200266585	Catherine Wohleben	4,250	242	-4.0
	1145 Engleberth Road			
200266586	Joseph Pappagallo	5,000	184	-3.0
	1117 Engleberth Road			
200266587	John Frederick Neukam	1,050	70	-4.0
	1213 Engleberth Road			
200266588	Charles J. Foehrkolb	12,500	463	-3.0
	2903 Breezy Point Court			
200266589	Michael & Marsha Dalton	1,000	141	-4.0
	2723 Holly Beach Road			
200266590	Helen J. Budreski	2,500	338	-4.0
	2725 Broring Drive			
200266591	Ricki S. Eck	400	43	-4.0
	2727 Holly Beach Road			
200266592	Chester Stefanowicz	750	75	-4.0
	2729 Holly Beach Road			
200266593	Joe & Barbara Byrnes	2,000	156	-4.0
	2731 Holly Beach Road			

Essential Fish Habitat (EFH) Assessment: The Magnuson-Stevens Fishery Conservation Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for Scophthalmus aquosus (windowpane flounder) juvenile and adult; pomatomus saltatrix (blue fish) juvenile and adult; Paralichthys dentatus (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of Sciaenops ocellatus (red drum), Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under the MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or and Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

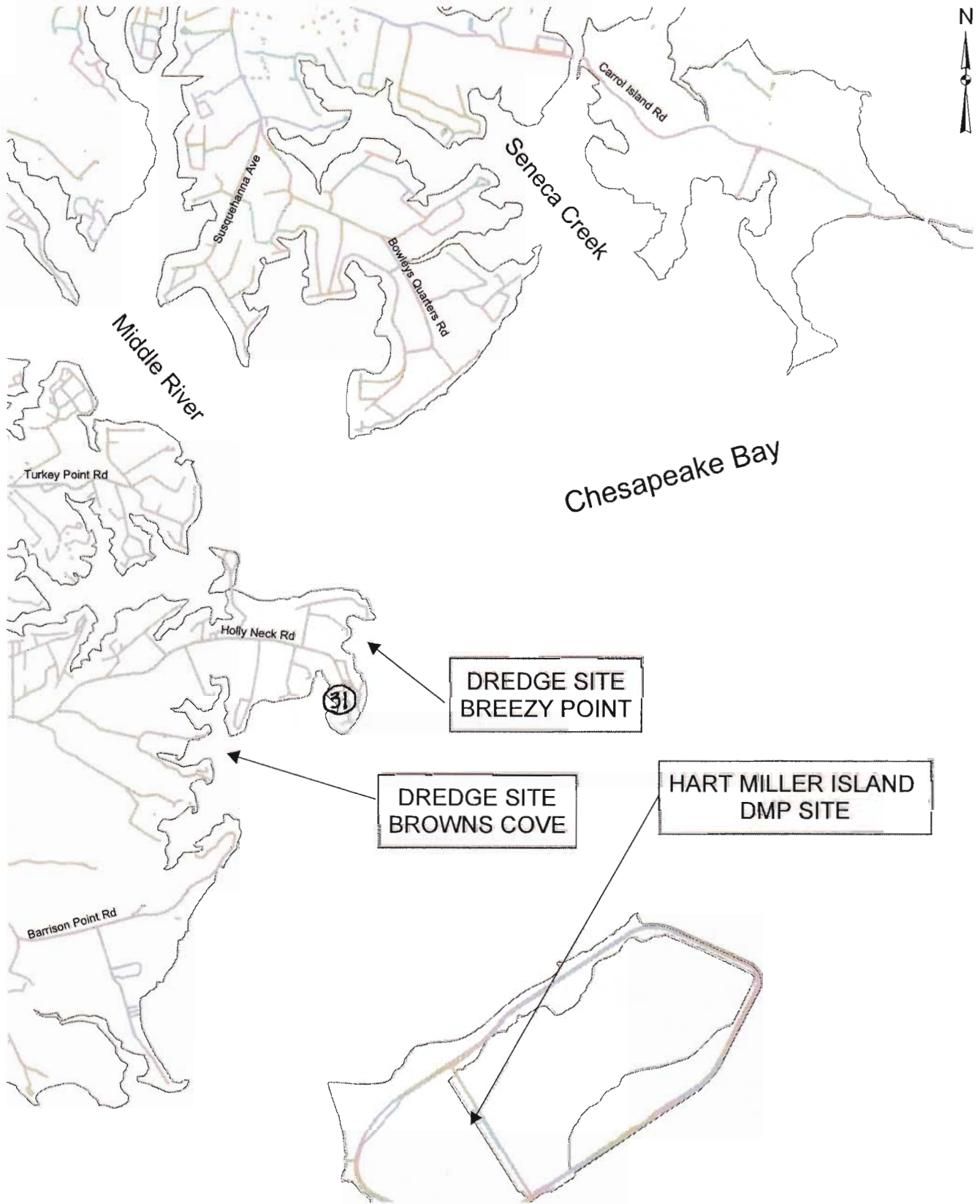
A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicated that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore Maryland, 21203-1714, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER



## PROPOSED DREDGING

BROWNS COVE AND  
BREEZY POINT

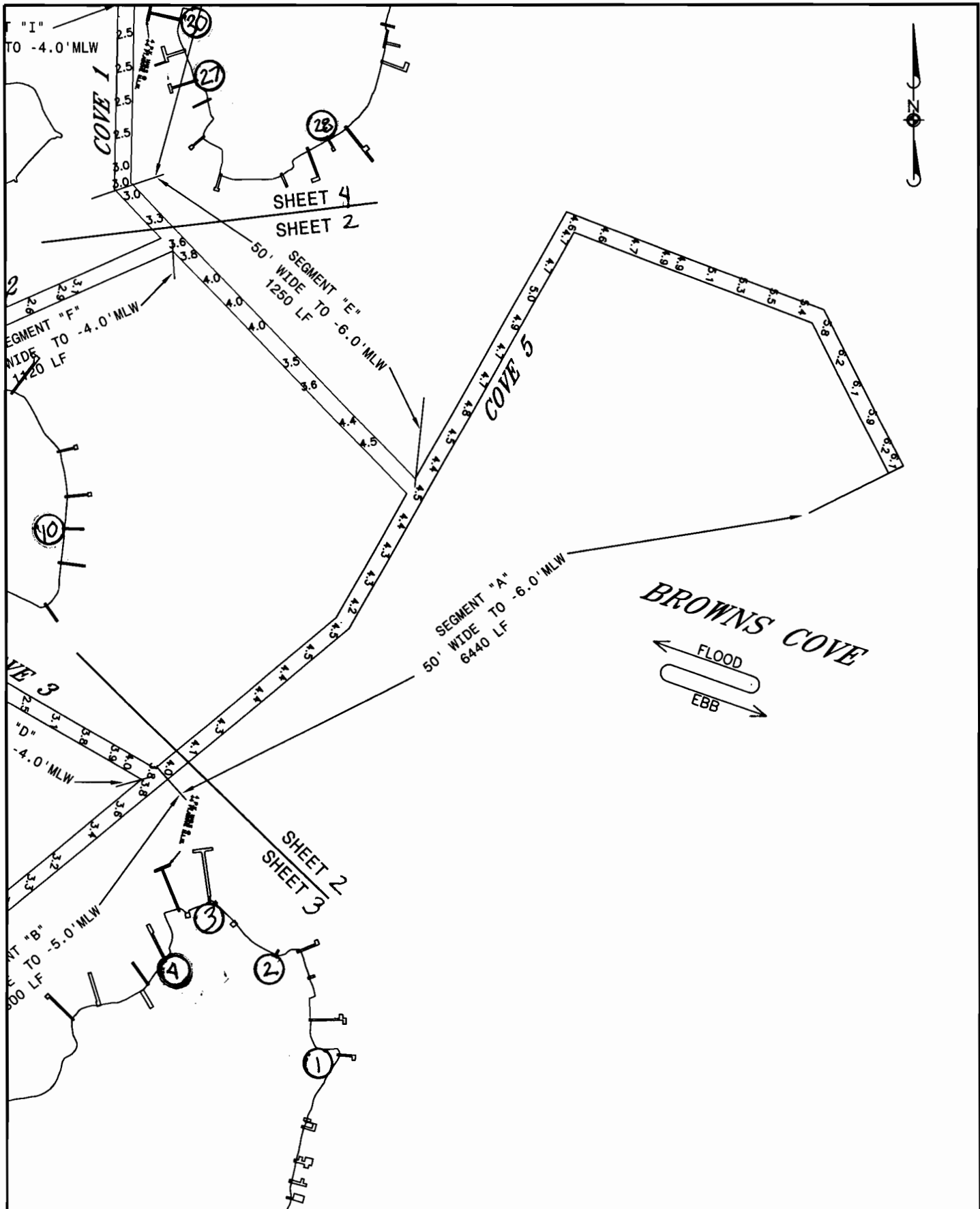
BALTIMORE COUNTY, MD  
SHEET 1 OF 5

0 1,750 3,500 7,000  
Feet

1" = 3500'

*Bay & Land*  
Consultants & Designers, Inc.  
Professional Engineering and Surveying

1321 Mercedes Drive, Suite C Phone: (410) 694-9401  
Hanover, Maryland 21075 Fax: (410) 694-9405



# PROPOSED DREDGING BROWNS COVE

ESSEX, BALTIMORE COUNTY, MD

APPL. BY: BALTIMORE COUNTY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND RESOURCE MANAGEMENT

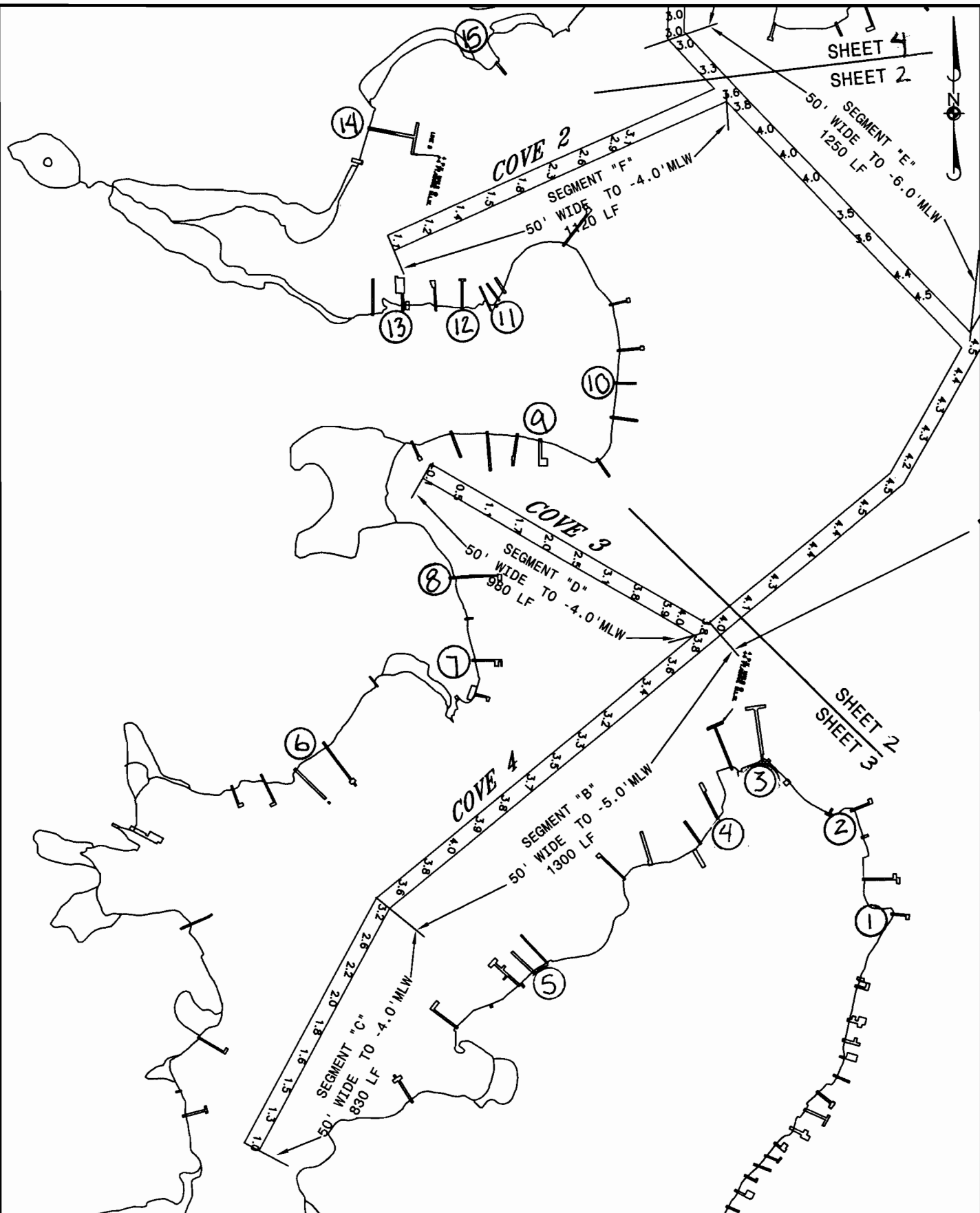
REV. JULY 2002 SHEET 2 OF 5

## GRAPHIC SCALE



( IN FEET )

1 Inch = 400 Feet



# PROPOSED DREDGING BROWNS COVE

ESSEX, BALTIMORE COUNTY, MD

APPL. BY: BALTIMORE COUNTY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND RESOURCE MANAGEMENT

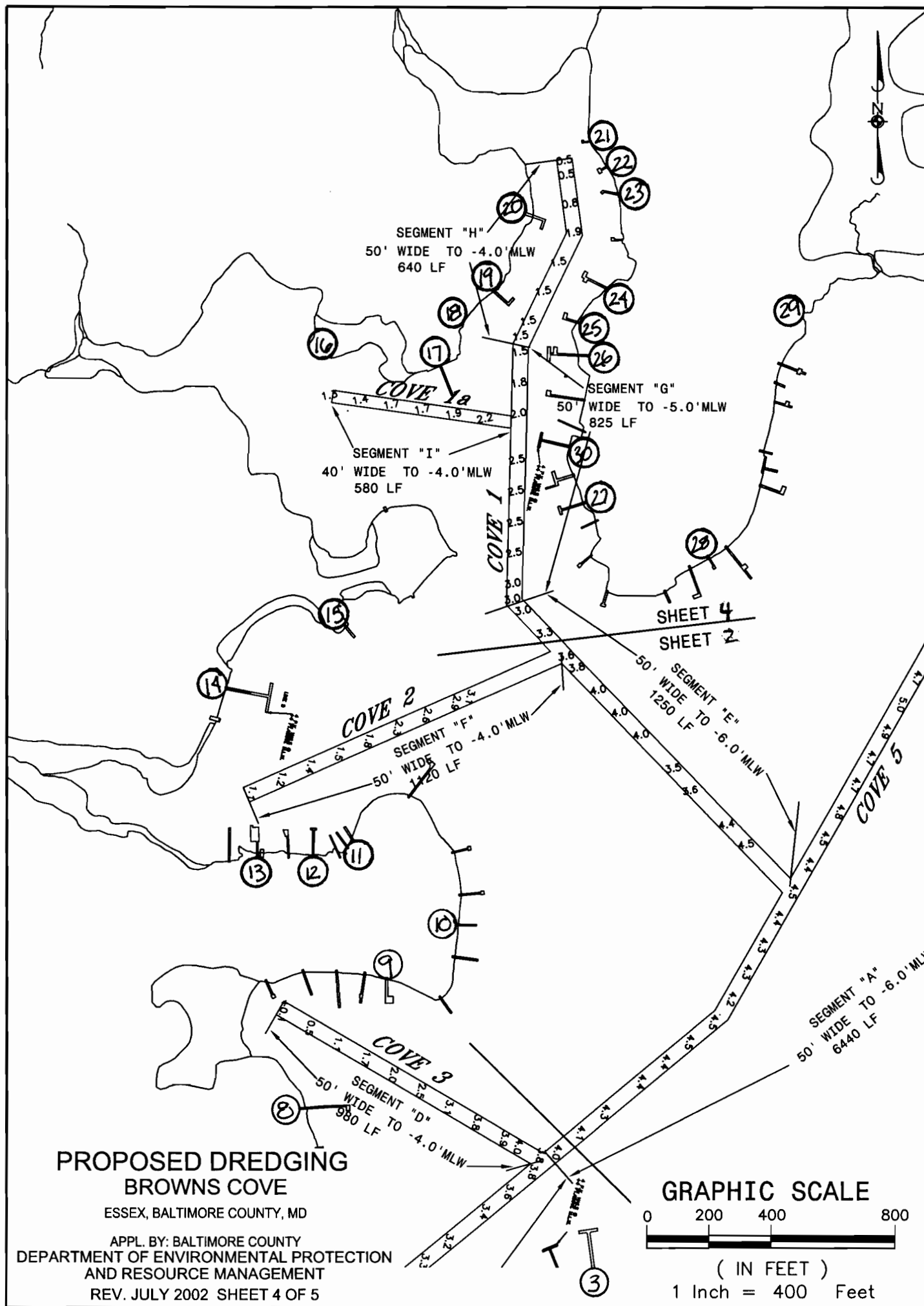
REV. JULY 2002 SHEET 3 OF 5

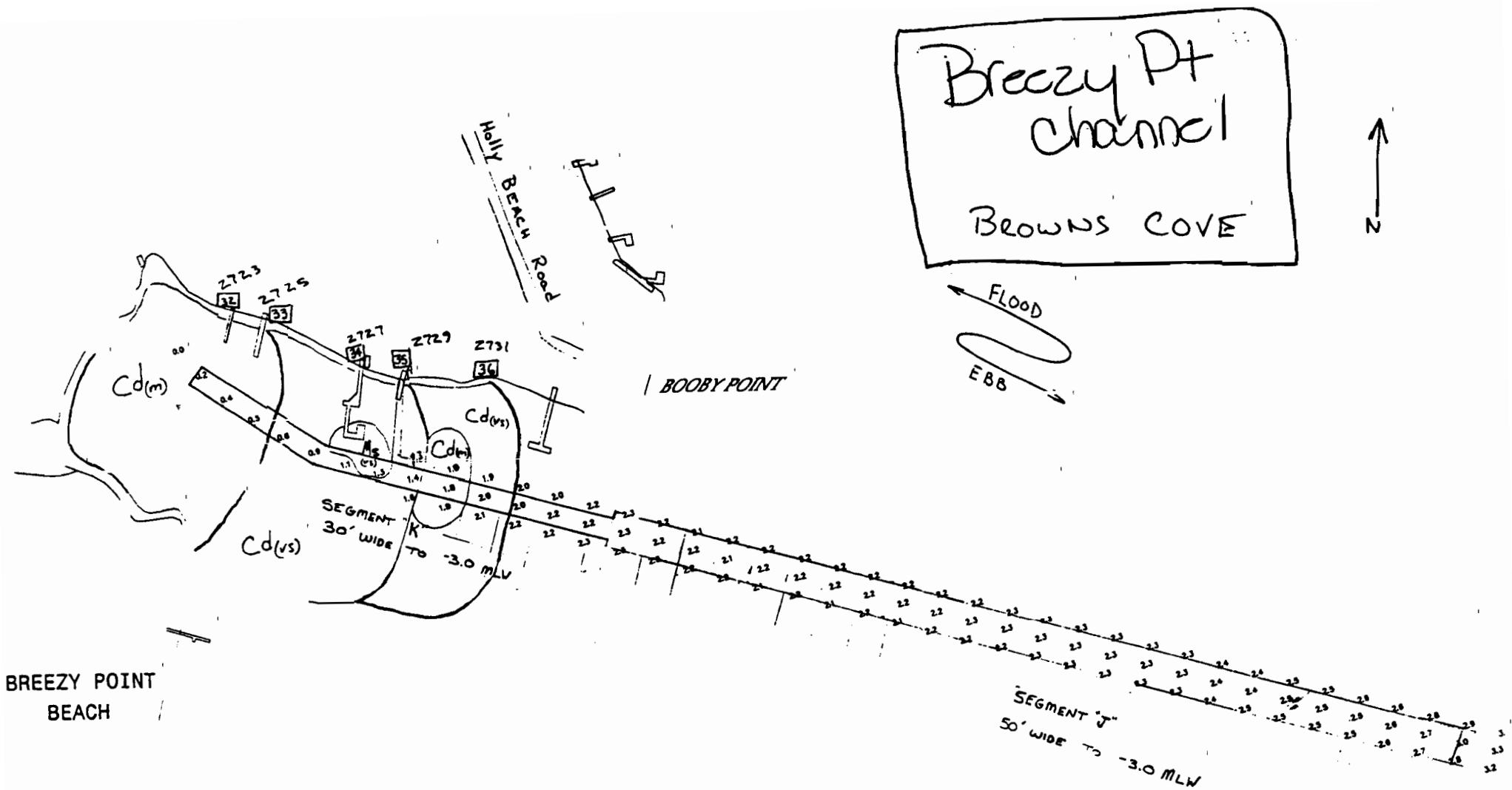
## GRAPHIC SCALE



( IN FEET )

1 Inch = 400 Feet





Scale  
= 200'

PROPOSED DREDGING  
Cove 6 - BREEZY POINT  
Baltoco DEPRM